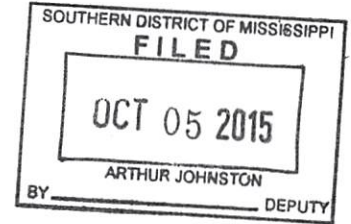


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
~~GULFPORT~~ DIVISION

Southern



LARRY ROGERS,

Plaintiff,

v.

GC SERVICES, LP,

Defendant.

Civil Action No.: *1:15cv335 HSO-JCG*

COMPLAINT

For this Complaint, Plaintiff Larry Rogers, by undersigned counsel, alleges the following against Defendant, GC Services, LP:

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

2. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection and does so through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

3. In the course of attempting to collect on a consumer debt allegedly owed by Plaintiff, Defendant violated the provisions of the FDCPA as set forth herein.

JURISDICTION AND VENUE

4. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

5. Defendant conducts business in the state of Mississippi, and therefore, personal jurisdiction is established.

6. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

7. Plaintiff is a natural person residing in Gautier, Jackson County, Mississippi.

8. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).

9. Defendant uses instrumentalities of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

10. Defendant is a debt collection company located in Houston, Texas.

FACTS GIVING RISE TO THIS CAUSE OF ACTION

11. Defendant places collection calls to Plaintiff seeking and demanding payment for an alleged debt.

12. Defendant's alleged debt arises from transactions for personal, family, and/or household purposes.

13. Defendant places collection calls to Plaintiff at 228-497-00XX.

14. In or around August 24, 2015, Defendant placed a collection call to Plaintiff and left a voicemail message.

15. In the voicemail message, Defendant's representative failed to disclose the name of the company placing the call, failed to state that the call was being placed by a debt collector,

and failed to state that the call was being placed to collect an alleged debt. *See* Transcribed Voicemail Message attached hereto as Exhibit “A”.

16. In the voicemail message, Defendant’s representative directed Plaintiff to return the call to 866-391-0768 extension 5786, which is a number that belongs to Defendant. *See* Exhibit “A.”

17. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

18. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d(6) of the FDCPA by placing collection calls to Plaintiff without meaningful disclosure of the caller’s identity.
- b. Defendant violated § 1692e(11) of the FDCPA by failing to disclose in its communications with Plaintiff that the communication was from a debt collector.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays judgment be entered against Defendant for the following:

1. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k;
2. Costs and reasonable attorneys’ fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k; and
3. Any other relief to which Plaintiff may be entitled.

DATED: September 24, 2015

RESPECTFULLY SUBMITTED,

By: 

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